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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,008	03/23/2001	Richard E. Pekkala	BAN:0107	5720
23669	7590	07/14/2006	EXAMINER	
HUFFMAN LAW GROUP, P.C. 1832 N. CASCADE AVE. COLORADO SPRINGS, CO 80907-7449			DOAN, DUYEN MY	
			ART UNIT	PAPER NUMBER
			2152	

DATE MAILED: 07/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/817,008

Applicant(s)

PEKKALA ET AL.

Examiner

Duyen M. Doan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-82 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-82 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/25/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is in respond to applicant's submission filed on 5/25/06/06.

Claims 1-82 are presented for examination.

The text of those sections of Title 35, U.S. Code not included in this office action can be found in a prior Office Action.

Claims 23-28,30-40 and 79 are rejected under 35 U.S.C. 102(e) as being anticipated by Beukema et al (us 2002/0073257).

Claims 1-22,41-78, and 80-82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beukema et al (us 2002/0073257) in view of "Building Up Chip Using VSHL and Synthesis", Doug Warmke, System Design December 1994/January 1995.

Claims 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beukema as applied in claim 23 above, in view of what is well known in the art.

Beukema and Warmke are cited for rejection, in the last Office Action; the citations, which are applicable, are hereby incorporated by reference.

Response to Arguments

Applicant's arguments filed 4/18/06 have been fully considered but they are not persuasive.

As regard to applicant's argument on claim 41 that Beukema does not teach "allocates portions of the memory to at least three data interfaces for storing data,

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wherein at least one of the interfaces is a different type...” Examiner respectfully disagrees, Beukema discloses three different interfaces in a SAN, HCA interface receives request for load or store operation from a processor to an I/O interface, the third interface is TCA interface (see Beukema pg.1, par 0005, 0007).

In response to applicant's argument that there is no motivation to combine the teaching of Warmke to Beukema, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

As regard to applicant's argument on claim 36 that Beukema does not teach “plurality of transaction queues...” Examiner disagrees, Beukema teaches plurality of queue pair and each queue pair consists of send work queue and receive work queue i.e. transaction queues for buffering data (see Beukema pg.4, par 0039-0041).

As regard to applicant's argument on claim 79, that Beukema does not teach “data paths that couple to buffer memory...” Examiner disagrees, Beukema discloses in figure 3, a plurality of paths couple to the memory 340, for example first path connect between memory 340 to port 312-316, second path connect between memory 340 to SMA and so on (see Beukema figure 3).

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As regard to applicant's argument on claim 23, that Beukema does not teach a memory shared, Examiner disagrees, Beukema teaches in figure 3, a share memory 340, memory 340 shares by port 312-316, SMA, MTP.

As regard to applicant argument on claim 1 that Beukema does not teach local bus interface, Examiner disagrees, Beukema teach an I/O interface (see Beukema pg.1, par 0005).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

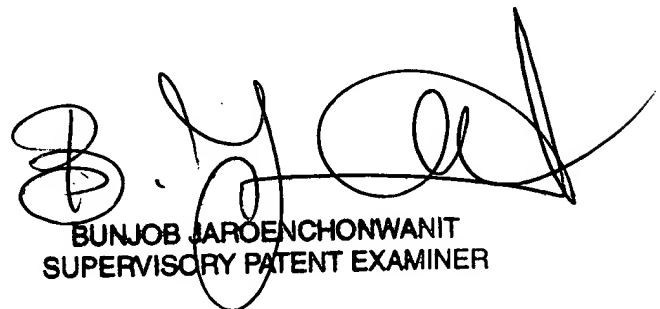
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duyen M. Doan whose telephone number is (571) 272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob A. Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Examiner
Duyen Doan
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BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER